

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-14 and 17-32 remain in the application. Claims 1, 17, 18, 25, and 30 have been amended. Claims 15, 16, 33, and 34 are being cancelled herewith. The specification has been amended to correct an error. No new matter has been added.

In the second paragraph on page 2 of the above-identified Office action, the drawings have been objected to because it is believed that the caption of reference numeral "21" should be "highly reflective layer" and not "highly reflective laser". As noted above in the Drawing Amendments section, Fig. 2 has been changed to read "highly reflective layer". Therefore, the objection to the drawings by the Examiner is believed to have been overcome.

In the first paragraph on page 3 of the Office action, the specification has been objected to because of the following informalities.

The Examiner stated that line 19 on page 24 of the specification should read "highly reflective layer" and not "highly reflective laser". The specification has been amended

Applic. No. 10/642,544
Amdt. dated October 17, 2005
Reply to Office action of May 17, 2005

so as to facilitate prosecution of the application.

Therefore, the objection to the specification by the Examiner is believed to have been overcome.

In the fourth paragraph on page 3 of the Office action, claim 33 has been objected to under 37 CFR 1.75 (C), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

The Examiner stated that claim 33 restates steps (e) and (f) of claim 1. Claim 33 has been cancelled so as to facilitate prosecution of the application. Therefore the objection to claim 33 by the Examiner is now moot.

In the fifth paragraph on page 3 of the Office action, claim 30 has been objected to because of the following informalities.

The Examiner has suggested that claim 30 be rewritten as indicated. Claim 30 has been amended as indicated by the Examiner so as to facilitate prosecution of the application. Therefore the objection to claim 30 by the Examiner has been overcome.

Applic. No. 10/642,544
Am> dated October 17, 2005
Reply to Office action of May 17, 2005

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In the penultimate paragraph on page 4 of the Office action, claims 1, 2, 4-6, 8, 10-16, 18, 22, 24, 25, 27, 28, 30, 31, and 34 have been rejected as being fully anticipated by Zimmermann (U.S. Patent No. 6,580,734 B1) under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 19, lines 1-4 of the specification, Figs. 1-6, and in claims 15, 16, and 34 of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 25 call for, *inter alia*:

a lens disposed between laser diode and the optical waveguide spacially separated from the optical waveguide.

The Zimmermann reference discloses a coupling lens (94) coupled to a waveguide (97) having Bragg grating (96) (Fig. 5 and column 8, lines 12-20).

The reference does not show a lens disposed between laser diode and the optical waveguide spacially separated from the optical waveguide, as recited in claims 1 and 25 of the instant application. The Zimmermann reference discloses a coupling lens that is attached to the waveguide. Zimmermann does not disclose that the lens is spacially separated from the waveguide. This is contrary to the invention of the instant application as claimed, in which a lens is disposed between laser diode and the optical waveguide spacially separated from the optical waveguide.

Since claims 1 and 25 are believed to be allowable over Zimmermann, dependent claims 2, 4-6, 8, 10-16, 18, 22, 24, 27, 28, 30, 31, and 34 are believed to be allowable over Zimmermann as well.

Even though claims 1 and 25 are believed to be allowable, the following remarks pertain to the non-obviousness of claims 1 and 25.

The use of coupling lenses and coupling systems is known in the art. However, there is no teaching in Zimmermann for a person of ordinary skill in the art to provide Zimmermann with a coupling lens that is disposed between the laser diode and the optical waveguide, where the lens is spatially separated from the optical waveguide. Therefore, claims 1 and 25 are not obvious over Zimmermann.

In the second paragraph on page 10 of the Office action, claims 3 and 7 have been rejected as being obvious over Zimmermann (U.S. Patent No. 6,580,734 B1) in view of Tomlinson et al. (U.S. Patent Publication No. 2003/0035449) (hereinafter "Tomlinson") under 35 U.S.C. § 103. Tomlinson does not make up for the deficiencies of Zimmermann. Since claims 1 and 25 are believed to be allowable, dependent claims 9, 23, 29, and 32 are believed to be allowable as well.

In the first paragraph on page 11 of the Office action, claims 9, 23, 29, and 32 have been rejected as being obvious over Zimmermann (U.S. Patent No. 6,580,734 B1) in view of Daiber et

Appl. No. 10/642,544
Am't. dated October 17, 2005
Reply to Office action of May 17, 2005

al. (U.S. Patent Publication No. 2003/0012239) (hereinafter "Daiber") under 35 U.S.C. § 103. Daiber does not make up for the deficiencies of Zimmermann. Since claims 1 and 25 are believed to be allowable, dependent claims 9, 23, 29, and 32 are believed to be allowable as well.

In the first full paragraph on page 12 of the Office action, claims 17 and 21 have been rejected as being obvious over Zimmermann (U.S. Patent No. 6,580,734 B1) in view of Anthon (U.S. Patent No. 6,125,222) under 35 U.S.C. § 103. Anthon does not make up for the deficiencies of Zimmermann. Since claim 1 is believed to be allowable, dependent claims 17 and 21 are believed to be allowable as well.

In the first paragraph on page 13 of the Office action, claims 19, 20, and 26 have been rejected as being obvious over Zimmermann (U.S. Patent No. 6,580,734 B1) under 35 U.S.C. § 103. Since claims 1 and 25 are believed to be allowable, dependent claims 19, 20, and 26 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 25. Claims 1 and 25 are, therefore, believed to be patentable over the art and

Applic. No. 10/642,544
Amdt. dated October 17, 2005
Reply to Office action of May 17, 2005

since all of the dependent claims are ultimately dependent on claims 1 or 25, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-14 and 17-32 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of two months pursuant to Section 1.136(a) in the amount of \$450 in accordance with Section 1.17 is enclosed herewith.

Applic. No. 10/642,544
Amdt. dated October 17, 2005
Reply to Office action of May 17, 2005

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,



For Applicant(s)

Alfred K. Dassler
52,794

AKD:cgm

October 17, 2005

Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101

Applic. No. 10/642,544
Amdt. dated October 17, 2005
Reply to Office action of May 17, 2005

Drawing Amendments

The attached sheet of drawings includes changes to Fig. 2. This sheet which includes Figs. 1 and 2, replaces the original sheet including Figs. 1 and 2. In Fig. 2, the descriptor for reference symbol "21" was changed to "highly reflective layer".

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of Figs. 1 and 2. A formal "Replacement Sheet" of amended Fig. 2 is also enclosed.

Attachments: Replacement Sheet

 Annotated Sheet Showing Changes



Fig. 1

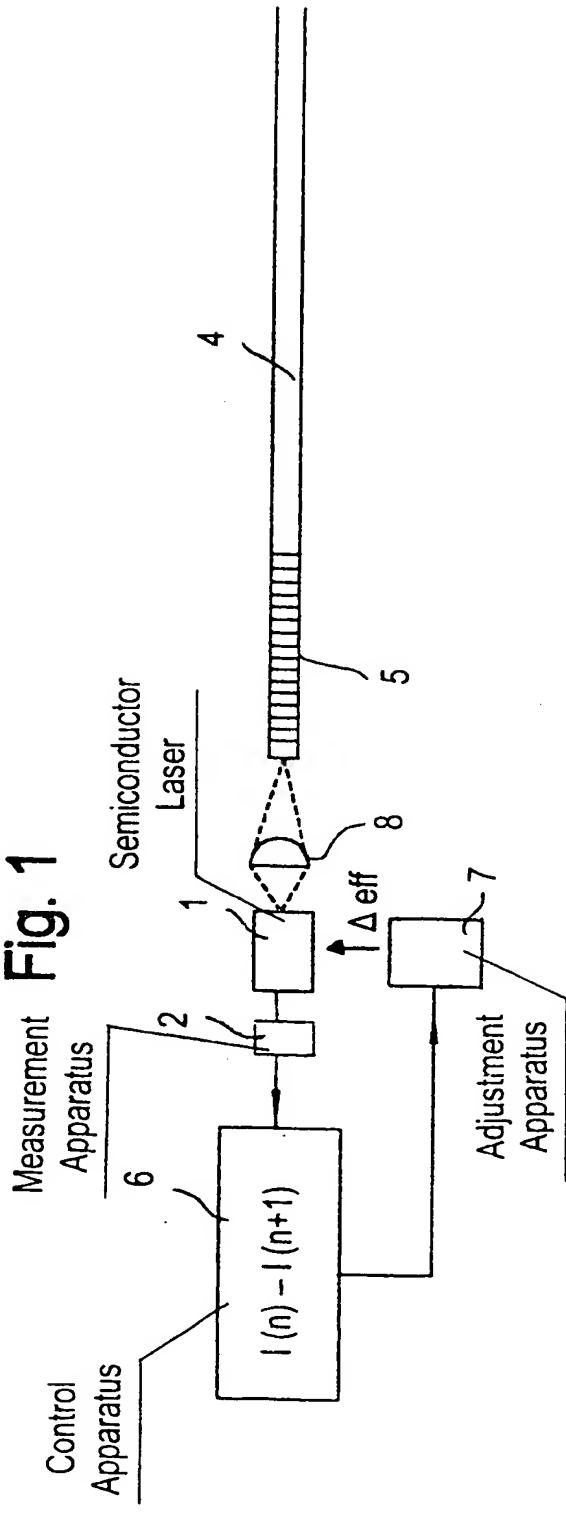


Fig. 2

